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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIKI OKJE ERDMANN-BROWNING and
JACQUELINE BENITEZ, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

THOMAS J. VILSACK, Secretary of the
United States Department of Agriculture,
in his official capacity; SHALANDA
YOUNG, Director of the United States
Office of Management and Budget, in her
official capacity.

Defendants.

Case No.: 4:23-cv-04678-JST

CLASS ACTION

**SUPPLEMENTAL DECLARATION
OF ERICA PADILLA CHAVEZ IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

Hearing date: March 14, 2024

Time: 2:00 p.m.

Action filed: September 12, 2023

DECLARATION OF ERICA PADILLA CHAVEZ

I, **Erica Padilla Chavez**, declare as follows:

1. I have personal knowledge of the facts in this declaration and am competent to testify to them.

2. I am the Chief Executive Officer of Second Harvest Food Bank Santa Cruz County. I oversee all operations and resources of the organization.

3. Second Harvest Food Bank Santa Cruz County is a non-profit anti-hunger organization. Our mission is to inspire and support Santa Cruz County to provide nourishment for all community members.

4. Second Harvest Food Bank Santa Cruz County was the first food bank in California, and the second food bank in the nation. Our organization partners with over 100 community organizations to distribute food throughout the County. We are the only food bank serving our County.

5. Second Harvest Food Bank Santa Cruz County provides food to roughly 72,000 Santa Cruz County residents every month and distribute approximately twelve million pounds of food a year.

6. After a recent survey of 52,000 participants, we determined that 16 percent of the people we serve are seniors; 52 percent are adults between the ages of 18 and 64; 20 percent are children between the ages of 6 and 17; and 12 percent of our participants have infants at home. Additionally, 65 percent of our participants are enrolled in Medi-Cal or Medicare, and 20 percent of our participants are enrolled in CalFresh.

7. As the only food bank serving Santa Cruz County, our organization is keenly aware of the food needs of Santa Cruz County. Our demand for food has increased by approximately 20 percent since the pandemic-era Emergency Allotments ended. Additionally, disaster relief efforts following recent floods have led to further increases in demand for food.

8. On or about February 4, 2024, Santa Cruz residents lost electrical power for more than 48 hours due to high winds and rain from a winter storm. Working with Pacific Gas &

1 Electric Company, the area's electricity company, our organization determined that 6,154
2 households, which we estimate comprises 24,616 persons, lost power for up to 48 hours. The
3 lack of electricity during that time period resulted in the almost total loss of perishable food for
4 most of those households. As a result, our organization has seen an unexpected increase in the
5 demand for food from community members who have rarely, if ever, used the resources of our
6 food bank.

7 9. Participants have also informed our organization that inflation is playing a huge
8 role in their increasing food bank needs. People are showing up at our organization's food
9 distribution sites who have never shown up before. People who have not previously relied on the
10 food bank for food needs have informed us that they are only able to pay their monthly bills
11 because they come to the food bank to supplement the food they purchase. Seniors have
12 indicated that they are able to afford the rising costs of medication only because they are now
13 coming to our organization to supplement their food needs.

14 10. Our organization commissioned a food insecurity report in 2020 through the
15 University of California Santa Cruz Center for Poverty on Social Enterprise and Participatory
16 Governance. The report found that in our county, the equivalent of more than thirty-million
17 meals were offered in 2020. SNAP program accounted for 42 percent of these meals. Food
18 banks provided 32 percent of these meals; and the remaining meals were provided through WIC
19 and school meal programs. This means that SNAP is the largest program feeding our county.

20 11. If the largest program feeding our community were to stop, our food bank would
21 simply not be able to meet the needs, especially because our food supply was significantly
22 diminished following recent disasters.

23 12. The weather, power outages, natural disasters and uncertainty about potential
24 government shutdowns and loss of SNAP benefits have caused significant anxiety for the people
25 who use our food bank services. Our community health workers who educate the public about
26 SNAP, have reported that people are confused and anxious about whether their food benefits will
27 be available, and that this has resulted in additional confusion about whether they can rely on any
28 of the government benefits that they assumed would be available.

1 13. Our organization is actively planning to mitigate as much harm as we can in light
2 of a possible interruption or pause in SNAP benefits. However, we will not be able to meet the
3 needs of all of our residents.

4 14. The additional demand caused by a SNAP shutdown would cause additional
5 strain on our organization's programming, including by potentially causing our organization to
6 no longer be able to offer food delivery services. Food delivery services are essential to meeting
7 the needs of many in our community, but if the SNAP program were to shut down, we would
8 likely need to stop providing this service to focus on food procurement including potentially
9 mass food distributions.

10 15. SNAP is a critical anti-hunger program in Santa Cruz, and an interruption in
11 SNAP benefits would cause tremendous irreparable harm to our residents.

12
13 I hereby declare under penalty of perjury under the laws of under the laws of the United
14 States of America that the foregoing is true and correct.

15 Executed on February 26, 2024, in Santa Cruz County.

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19 _____
20 **Erica Padilla Chavez**
21 Second Harvest Food Bank Santa Cruz
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